

IN THE MATTER OF * BEFORE THE MARYLAND
KATIE MARIE TRUITT * BOARD OF NURSING
LICENSE NO.: R201359 *
CERTIFICATE NO.: A00109737

* * * * *
**DEFAULT FINAL DECISION AND ORDER AFFIRMING
SUMMARY SUSPENSION OF REGISTERED NURSE LICENSE**

- And -

**DEFAULT FINAL DECISION AND ORDER OF
SUSPENSION OF REGISTERED NURSE LICENSE AND
CERTIFIED NURSING ASSISTANT CERTIFICATE**

On June 3, 2021, the Maryland Board of Nursing (the “Board”) issued a Notice of Intent to Summarily Suspend Registered Nurse License Pursuant to Section 10-226(c) of the State Government Article and an unexecuted Order for Summary Suspension of Registered Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act (“Notice of Intent to Summarily Suspend”) to **KATIE MARIE TRUITT**, registered nurse (“RN”), license number **R201359**, and certified nursing assistant (“CNA”), certificate number **A00109737** (the “Respondent”). The Notice of Intent to Summarily Suspend notified the Respondent that the Board was contemplating summarily suspending her RN license based on the Board’s belief that the public health, safety, or welfare imperatively required emergency action under Md. Code Ann., State Gov’t § 10-226(c)(2) (2014 Repl. Vol.), and notified the Respondent that a Show Cause hearing was scheduled for June 23, 2021 before the Board to give the Respondent an opportunity to show cause as to why her license should not be suspended.

TRUITT, Katie Marie (R201359; A00109737)

Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License and Default Final Decision and Order of Suspension of Registered Nurse License and Certified Nursing Assistant Certificate

Also on June 3, 2021 and June 4, 2021, the Board issued an Notice of Agency Action – Charges Under the Maryland Nurse Practice Act (“the Charges”)¹ to the Respondent, which notified her that the Board was charging her with violations of the Maryland Nurse Practice Act (the “Act”), Md. Code Ann. Health Occ. §§ 8-101 *et seq.* (2014 Repl. Vol. & 2020 Supp.), specifically § 8-316(a)(3) (predicated on § 8-316(a)(7)(i), (8), (18), and (25), predicated on Code of Maryland Regulations (“COMAR”) 10.27.19.02C(9) and (12)), § 8-316(a)(28) and § 8-6A-10(a)(20) and (26). The Charges also notified the Respondent that she had thirty (30) days from the date of the Charges to request an evidentiary hearing regarding the Charges. The Charges notified the Respondent that, if she failed to submit a written request for a hearing regarding the Charges to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing on the Charges and the Board, pursuant to the authority of § 8-316(a) and (b) and § 8-6A-10(a) and (b) of the Health Occupations Article, §§ 10-210(4) and 10-221 of the State Government Article of the Maryland Annotated Code, and COMAR 10.27.02.09, would issue a public final decision and order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the disciplinary grounds that the Charges alleged to have been violated would become conclusions of law; and (3) a disciplinary sanction and/or monetary penalty would be imposed.

On June 23, 2021, the Board held the scheduled show cause hearing, and a quorum of the Board was present. The Respondent failed to appear at the Show Cause hearing before the Board.

¹ The Board’s Charging Document consisted of a three-page letters and a five-page document entitled, “Charges Under the Maryland Nurse Practice Act.” The Board’s Charging Document is appended to this Order as Exhibit A and is incorporated by reference in its entirety.

TRUITT, Katie Marie (R201359; A00109737)

Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License and Default Final Decision and Order of Suspension of Registered Nurse License and Certified Nursing Assistant Certificate

On June 23, 2021, the Board issued an Order for Summary Suspension of Registered Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act (“Order for Summary Suspension”),² which notified the Respondent that the Board had summarily suspended her RN license and that she had thirty (30) days from the date of the Order for Summary Suspension to request a hearing on the merits of the summary suspension. The Order for Summary Suspension also notified the Respondent that, if she failed to submit a written request for a hearing on the merits of the summary suspension to the Board within thirty (30) days, then the Respondent would waive the opportunity for an evidentiary hearing regarding the merits of the summary suspension and the Board, pursuant to the authority of §§ 10-210(4) and 10-221 of the State Government Article of the Maryland Annotated Code, would issue a public final decision and order by default, in which: (1) investigative findings and reasons in support of the summary suspension in the Order for Summary Suspension would become findings of fact; and (2) the summary suspension of the Respondent’s RN license would be affirmed and continued until further Order of the Board.

The Board sent the Charges, the Notice of Intent to Summarily Suspend, and the Order for Summary Suspension by regular and certified mail to the Respondent’s last known addresses. The Board finds that the Charges, Notice of Intent to Summarily Suspend, and Order for Summary Suspension were properly issued and that due and proper notice was given to the Respondent in

² The Order for Summary Suspension consisted of five pages and was accompanied by a two-page cover letter and a one-page form to request a hearing. These documents are appended to this Order as Exhibit B and are incorporated by reference.

TRUITT, Katie Marie (R201359; A00109737)

Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License and Default Final Decision and Order of Suspension of Registered Nurse License and Certified Nursing Assistant Certificate

accordance with § 8-317(c) and § 8-6A-10.1 of the Health Occupations Article and §§ 10-207 and 10-209(a) and (c) of the State Government Article of the Maryland Annotated Code.

The Respondent failed to submit a request for an evidentiary hearing regarding the merits of the Order for Summary Suspension within thirty (30) days from the date of the Order for Summary Suspension. The Respondent also failed to submit a request for an evidentiary hearing regarding the Charges within thirty (30) days of the date of the Charges. Thus, the Board finds that the Respondent has waived the right to an evidentiary hearing on both the merits of the Order for Summary Suspension and the Charges and that the Board is authorized to issue this final decision and order by default pursuant to the authority of § 8-317(e) and § 8-6A-10.1(e) of the Health Occupations Article and § 10-210(4) of the State Government Article of the Maryland Annotated Code.

FINDINGS OF FACT

The Board adopts the investigative findings and reasons in support of summary suspension numbered 1-4 on pages 2-4 of the attached Order for Summary Suspension as Findings of Fact.

The Board adopts allegations of fact numbers 1-4 on pages 2-4 of the attached Charges as Findings of Fact.

CONCLUSIONS OF LAW

Accordingly, the Board concludes that the public health, safety, and welfare imperatively required the emergency action of summarily suspending the Respondent's license to practice registered nursing on June 23, 2021 under § 10-226(c)(2) of the State Government Article.

The Board further concludes that the Respondent has violated § 8-316(a) and § 8-6A-10(a) of the Health Occupations Article:

TRUITT, Katie Marie (R201359; A00109737)
Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License and Default Final Decision and Order of Suspension of Registered Nurse License and Certified Nursing Assistant Certificate

§ 8-316(a):

- (3) Is disciplined by a licensing, military, or disciplinary authority in this State or in any other state or country or convicted or disciplined by a court in this State or in any other state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; *to wit*,

Health Occ. § 8-316 (a):

- (7) Provides professional services while:
- (i) Under the influence of alcohol; or
- (8) Does an act that is inconsistent with generally accepted professional standards in the practice of registered nursing or licensed practical nursing;
- (18) Has a substance use disorder;
- (25) Engages in conduct that violates the professional code of ethics; *to wit*,

COMAR 10.27.19.02

- (C) A nurse may not engage in behavior that dishonors the profession whether or not acting in the capacity or identity of a licensed nurse, including, but not limited to:
- (9) Reporting for employment under the influence of alcohol or a controlled dangerous substance or submitting a pre-employment sample that is positive for alcohol or a controlled dangerous substance without having provided evidence of valid prescriptions for all controlled dangerous substances in the sample;
- (12) Engaging in unprofessional or immoral conduct;
- (28) When holding an expired license or a lapsed license or after a temporary license has expired in accordance with § 8-315(c) of this subtitle, commits any act that would be grounds for disciplinary action under this section;

TRUITT, Katie Marie (R201359; A00109737)
Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License and Default Final Decision and Order of Suspension of Registered Nurse License and Certified Nursing Assistant Certificate

And

§ 8-6A-10(a)

- (20) Has violated any provision of this title or has aided or knowingly permitted any individual to violate any provision of this title;
- (26) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

The Board concludes that these violations of the Act fall within category C of the Board's sanctioning guidelines. *See* COMAR 10.27.26.07C. The range of potential sanctions under category C includes reprimand to revocation, and/or monetary penalty of \$1,000 to \$5,000. *Id.*

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the summary suspension of the Respondent's license to practice as a registered nurse in the State of Maryland, as ordered by the Board's June 23, 2021 Order for Summary Suspension, is **AFFIRMED**; and it is further

ORDERED that the summary suspension of the Respondent's license to practice as a registered nurse in the State of Maryland, as ordered by the Board's June 23, 2021 Order for Summary Suspension, is hereby **LIFTED AND TERMINATED**, and it is further

ORDERED that the license of the Respondent to practice as a registered nurse in the State of Maryland, License Number R201359, is hereby **SUSPENDED FOR A MINIMUM OF ONE (1) YEAR** beginning on the effective date of this Order; and it is further

ORDERED that the certificate of the Respondent to practice as a certified nursing assistant in the State of Maryland, Certificate Number A00109737, is hereby **SUSPENDED FOR A MINIMUM OF ONE (1) YEAR** beginning on the effective date of this Order; and it is further

TRUITT, Katie Marie (R201359; A00109737)
Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License
and Default Final Decision and Order of Suspension of Registered Nurse License and Certified
Nursing Assistant Certificate

ORDERED that the Board will not consider an application for reinstatement of the Respondent's license to practice as a registered nurse any earlier than **ONE (1) YEAR** from the effective date of this Order; and it is further

ORDERED that the Board will not consider an application for reinstatement of the Respondent's certificate to practice as a certified nursing assistant any earlier than **ONE (1) YEAR** from the effective date of this Order; and it is further

ORDERED that this Default Final Decision and Order is a **PUBLIC RECORD** under Md. Code Ann., Gen. Prov. §§ 4-101 *et seq.* (2014 Repl. Vol.).

3/8/2022
Date

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document

TRUITT, Katie Marie (R201359; A00109737)
Default Final Decision and Order Affirming the Summary Suspension of Registered Nurse License
and Default Final Decision and Order of Suspension of Registered Nurse License and Certified
Nursing Assistant Certificate

NOTICE OF APPEAL RIGHTS

Any person aggrieved by a final decision of the Board under § 8-316(a) of the Health Occupations Article may take a direct judicial appeal within thirty (30) days of the date this Order is mailed, as provided by § 8-318(b) of the Health Occupations Article, § 10-222 of the State Government Article, and Title 7, Chapter 200 of the Maryland Rules, including Md. Rule 7-203 ("Time for Filing Action").

DATE MAILED: **MAR - 9 2022**



Board of Nursing

Larry Hogan, Governor • Boyd K. Rutherford, Lt. Governor • Dennis R. Schrader, Secretary

COPY TO ADDITIONAL ADDRESS

June 4, 2021

The Respondent's address appears on the original document.

**RE: NOTICE OF AGENCY ACTION-Charges under the Maryland Nurse Practice Act
Katie Truitt - License No.: R201359, Certificate No.: A00109737**

Dear Ms. Truitt:

The Maryland State Board of Nursing (the "Board") is the state agency responsible for the regulation of the practice of nursing in the State of Maryland pursuant to the authority of the Maryland Nurse Practice Act, Md. Code Ann., Health Occupations ("Health Occ.") § 8-101 *et seq.* (2014 Repl. Vol. & 2020 Supp.). Pursuant to § 8-316(a) and (b) of the Health Occupations Article, the Board may reprimand any licensee, place any licensee on probation, suspend or revoke the license of a licensee, and/or impose a monetary penalty if the Board finds that the licensee has violated any of the disciplinary grounds set forth in Health Occ. § 8-316(a)(1)-(36). Pursuant to § 8-6A-10(a) and (b) of the Health Occupations Article, the Board may reprimand any certificate holder, place any certificate holder on probation, suspend or revoke the certificate of a certificate holder, and/or impose a monetary penalty if the Board finds that the certificate holder has violated any of the disciplinary grounds set forth under Health Occ. § 8-6A-10(a)(1)-(34).

Based on the allegations of fact and violation(s) of the disciplinary ground(s) cited in the enclosed document entitled, "Charges Under the Maryland Nurse Practice Act" (hereinafter "Charges"), the Board is notifying you of its intent to take disciplinary action against your license(s) and certificate(s), which may include reprimand, probation, suspension, revocation, and/or monetary penalty. This letter and the enclosed Charges constitute the notice of agency action that is required by the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't") § 10-207.

Under §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, the Board is required to give you an opportunity for an evidentiary hearing before it may take any disciplinary action against your license(s) and certificate(s).

4140 Patterson Avenue - Baltimore, Maryland 21215-2254
Toll Free: 1 (888) 202 - 9861 • Phone: (410) 585 - 1900 • TTY/TDD: 1 (800) 735 - 2258
Fax: (410) 358 - 3530
www.mbon.maryland.gov



**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act
Katie Truitt - License No.: R201359, Certificate No.: A00109737**

TO REQUEST A HEARING:

If you wish to schedule a hearing, please submit a written request for hearing to the Board within 30 days of the date of this letter, by mail, fax or email, to:

**Attn: Amber Havens Bernal
Enforcement Division – Discipline Dept.
Maryland Board of Nursing
4140 Patterson Avenue
Baltimore, Maryland 21215
Fax: (410) 358-1499
Email: mbon.nursingdiscipline@maryland.gov**

A Request for Hearing form has been enclosed for your convenience.

If you submit a written request for an evidentiary hearing, the Board will schedule a case resolution conference to provide an opportunity for a resolution of this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference is voluntary, and your decision not to attend the case resolution conference will not have any influence on subsequent proceedings in this case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the Charges.

The Board will notify you in writing, at your last known address on record with the Board, of the date, time and location of the case resolution conference and evidentiary hearing. A copy of the Board's hearing procedures will be made available to you upon request. The hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act, State Gov't § 10-201 *et. seq.*, §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and regulations promulgated by the Board at Code of Maryland Regulations ("COMAR") Title 10, Subtitle 27, Chapter 02.

Pursuant to §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and §§ 10-206.1 and 10-208 of the State Government Article, you have the right to be represented by an attorney, to subpoena evidence and witnesses, to present evidence, to cross-examine witnesses called against you, and to present summation and argument. Pursuant to §§ 8-316(a) and (b), 8-6A-10(a) and (b), and 8-317 of the Health Occupations Article, § 10-221 of the State Government Article, and COMAR 10.27.02.09, if, after a hearing, the Board finds that you violated any of the disciplinary ground(s) cited in the Charges, the Board may take disciplinary action against your license by issuing a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and a disciplinary sanction against your license and certificate, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Also, pursuant to § 10-208(b)(7) of the State Government Article, you may agree to the evidence and waive your right to appear at the hearing before the Board. However, if you waive your right to appear at the hearing or fail to appear at the hearing for any other reason, please be advised that pursuant to § 8-317(e) of the Health Occupations Article and § 10-210(4) of the State Government Article, the Board may hear and consider the State's evidence, decide the disposition of your case despite your absence, and issue a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and, if necessary, a disciplinary sanction against your license(s) and

**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act
Katie Truitt - License No.: R201359, Certificate No.: A00109737**

certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

IF YOU DO NOT REQUEST A HEARING:

If you do not request a hearing in writing within 30 days of the date of this letter, you will have waived your opportunity for a hearing. Pursuant to the authority of § 8-316(a) and (b) and § 8-6A-10(a) and (b) of the Health Occupations Article, §§ 10-210(4) and 10-221 of the State Government Article and COMAR 10.27.02.09, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the section(s) of § 8-316(a) and § 8-6A-10(a) of the Health Occupations Article that the Board has alleged you violated in the Charges become conclusions of law; and (3) a disciplinary sanction is ordered against your license(s) and certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Any decision made by the Board regarding the Charges could affect your license to practice as a registered nurse and your certificate to practice as a certified nursing assistant in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Charges, or you wish to see any other material in your Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Kelly Cooper, AAG, at (410) 767-5828.

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document

Encls.: Charges under the Maryland Nurse Practice Act
Request for Hearing form

cc: Kelly Cooper, Assistant Attorney General Administrative Prosecutor



Board of Nursing

Larry Hogan, Governor · Boyd K. Rutherford, Lt. Governor · Dennis R. Schrader, Secretary

June 3, 2021

The Respondent's address appears on the original document.

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Katie Truitt - License No.: R201359, Certificate No.: A00109737**

Dear Ms. Truitt:

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Under §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, the Board is required to give you an opportunity for an evidentiary hearing before it may take any disciplinary action against your license(s) and certificate(s).

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NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act
Katie Truitt - License No.: R201359, Certificate No.: A00109737

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If you wish to schedule a hearing, please submit a written request for hearing to the Board within 30 days of the date of this letter, by mail, fax or email, to:

Attn: Amber Havens Bernal
Enforcement Division – Discipline Dept.
Maryland Board of Nursing
4140 Patterson Avenue
Baltimore, Maryland 21215
Fax: (410) 358-1499
Email: mbon.nursingdiscipline@maryland.gov

A Request for Hearing form has been enclosed for your convenience.

If you submit a written request for an evidentiary hearing, the Board will schedule a case resolution conference to provide an opportunity for a resolution of this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference is voluntary, and your decision not to attend the case resolution conference will not have any influence on subsequent proceedings in this case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the Charges.

The Board will notify you in writing, at your last known address on record with the Board, of the date, time and location of the case resolution conference and evidentiary hearing. A copy of the Board's hearing procedures will be made available to you upon request. The hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act, State Gov't § 10-201 *et. seq.*, §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and regulations promulgated by the Board at Code of Maryland Regulations ("COMAR") Title 10, Subtitle 27, Chapter 02.

Pursuant to §§ 8-317 and 8-6A-10.1 of the Health Occupations Article, and §§ 10-206.1 and 10-208 of the State Government Article, you have the right to be represented by an attorney, to subpoena evidence and witnesses, to present evidence, to cross-examine witnesses called against you, and to present summation and argument. Pursuant to §§ 8-316(a) and (b), 8-6A-10(a) and (b), and 8-317 of the Health Occupations Article, § 10-221 of the State Government Article, and COMAR 10.27.02.09, if, after a hearing, the Board finds that you violated any of the disciplinary ground(s) cited in the Charges, the Board may take disciplinary action against your license by issuing a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and a disciplinary sanction against your license and certificate, which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Also, pursuant to § 10-208(b)(7) of the State Government Article, you may agree to the evidence and waive your right to appear at the hearing before the Board. However, if you waive your right to appear at the hearing or fail to appear at the hearing for any other reason, please be advised that pursuant to § 8-317(e) of the Health Occupations Article and § 10-210(4) of the State Government Article, the Board may hear and consider the State's evidence, decide the disposition of your case despite your absence, and issue a **public** Final Decision and Order, which will include findings of fact, conclusions of law, and, if necessary, a disciplinary sanction against your license(s) and

**NOTICE OF AGENCY ACTION: Charges Under the Nurse Practice Act
Katie Truitt - License No.: R201359, Certificate No.: A00109737**

certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

IF YOU DO NOT REQUEST A HEARING:

If you do not request a hearing in writing within 30 days of the date of this letter, you will have waived your opportunity for a hearing. Pursuant to the authority of § 8-316(a) and (b) and § 8-6A-10(a) and (b) of the Health Occupations Article, §§10-210(4) and 10-221 of the State Government Article and COMAR 10.27.02.09, the Board may, in its discretion, issue a **public** Final Decision and Order by default, in which: (1) the allegations of fact in the Charges become findings of fact; (2) the section(s) of § 8-316(a) and § 8-6A-10(a) of the Health Occupations Article that the Board has alleged you violated in the Charges become conclusions of law; and (3) a disciplinary sanction is ordered against your license(s) and certificate(s), which may include reprimand, probation, suspension, revocation and/or a monetary penalty.

Any decision made by the Board regarding the Charges could affect your license to practice as a registered nurse and your certificate to practice as a certified nursing assistant in the State of Maryland. Any Final Decision and Order issued by the Board will be a **public document** and **cannot be expunged**. Therefore, you are strongly advised to retain and be represented by an attorney in any proceeding before the Board. To appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Charges, or you wish to see any other material in your Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, Kelly Cooper, AAG, at (410) 767-5828.

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document

Encls.: Charges under the Maryland Nurse Practice Act
Request for Hearing form

cc: Kelly Cooper, Assistant Attorney General Administrative Prosecutor

IN THE MATTER OF

* BEFORE THE MARYLAND

KATIE TRUITT

* BOARD OF NURSING

License No.: R201359

* OAG Case No.: 21-BP-013

Certificate No.: A00109737

* * * * *

CHARGES UNDER THE MARYLAND NURSE PRACTICE ACT

The Maryland Board of Nursing (the “Maryland Board”) hereby charges the license and certificate of **Katie Truitt** (the “Respondent”), Registered Nurse – License Number **R201359** and Certified Nursing Assistant/Geriatric Nursing Assistant – Certificate Number **A00109737**, pursuant to the Maryland Nurse Practice Act (the “Act”), Md. Code Ann., Health Occ. §§ 8-101 *et seq.* (2014 Repl. Vol. & 2020 Supp.). The pertinent provisions of the Act are as follows:

§ 8-316 (a) *In general.* – Subject to the hearing provisions of § 8-317 of this subtitle, the Board may . . . reprimand any licensee, place any licensee on probation, or suspend or revoke the license of a licensee if the . . . licensee:

- (3) Is disciplined by a licensing, military, or disciplinary authority in this State or in any other state or country or convicted or disciplined by a court in this State or in any other state or country for an act that would be grounds for disciplinary action under the Board's disciplinary statutes; *to wit*,

Health Occ. § 8-316 (a):

- (7) Provides professional services while:
 - (i) Under the influence of alcohol; or
- (8) Does an act that is inconsistent with generally accepted professional standards in the practice of registered nursing or licensed practical nursing;
- (18) Has a substance use disorder;
- (25) Engages in conduct that violates the professional code of ethics; *to wit*,

COMAR 10.27.19.02

- (C) A nurse may not engage in behavior that dishonors the profession whether or not acting in the capacity or identity of a licensed nurse, including, but not limited to:
 - (9) Reporting for employment under the influence of alcohol or a controlled dangerous substance or submitting a pre-employment sample that is positive for alcohol or a controlled dangerous substance without having provided evidence of valid prescriptions for all controlled dangerous substances in the sample;
 - (12) Engaging in unprofessional or immoral conduct;
- (28) When holding an expired license or a lapsed license or after a temporary license has expired in accordance with § 8-315(c) of this subtitle, commits any act that would be grounds for disciplinary action under this section;

And

§ 8-6A-10 (a) *Penalties.* - Subject to the hearing provisions of § 8-317 of this title and § 8-6A-10.1 of this subtitle, the Board may . . . reprimand any certificate holder, place any certificate holder on probation, or suspend or revoke the certificate of a certificate holder, if the . . . certificate holder:

- (20) Has violated any provision of this title or has aided or knowingly permitted any individual to violate any provision of this title;
- (26) When holding an expired certificate or a lapsed certificate, commits any act that would be grounds for disciplinary action under this section[.]

ALLEGATIONS OF FACT¹

The Board bases its charges on the following facts that the Board has reason to believe are true:

1. On June 29, 2012, the Respondent was issued a license to practice as a registered nurse (“RN”) in the State of Maryland, license number R201359. The Respondent's RN license is

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable notice of the asserted facts. They are not intended as, and do not necessarily represent, a complete description of the evidence, either testimonial or documentary, to be offered against the Respondent in connection with these charges.

Truitt, Katie: R201359/A00109737

currently active and is scheduled to expire on June 28, 2020.² The Compact³ status of the Respondent's Maryland RN license is "Multistate." According to the Maryland Board's MyLicense Office ("MYLO") database, the Respondent's current address is in the State of Maryland.⁴

2. On September 27, 2010, the Respondent was certified to practice as a Certified Nursing Assistant ("CNA")/Geriatric Nursing Assistant ("GNA") in the State of Maryland, certificate number A00109737. The Respondent's certificate is currently "non-renewed" and expired on June 28, 2012.

Discipline by the Delaware Board of Nursing

3. On or about January 29, 2021, the Respondent entered into a Consent Agreement ("Consent Agreement") with the Delaware Board of Nursing ("Delaware Board"), in which she agreed with the Delaware Board that her privilege to practice in Delaware should be suspended for two (2) years.⁵ The Delaware Board approved and entered the Consent Agreement as an Order of the

² The Respondent's license was scheduled to expire on June 28, 2020. On March 5, 2020, the Governor of the State of Maryland issued an Executive Order declaring a state of emergency and existence of catastrophic health emergency. Effective March 12, 2020, the Governor issued an Executive Order which ordered that all professional licenses that would otherwise "expire during the state of emergency and catastrophic health emergency; and be renewable during the state of emergency and catastrophic health emergency" the "expiration date . . . is hereby extended to the 30th day after the date by which the state of emergency is terminated and the catastrophic health emergency is rescinded." On March 9, 2021, the Governor amended and restated the Executive Order ordering that all professional licenses that would otherwise "expire prior to June 30, 2021 during the state of emergency and catastrophic health emergency; and be renewable during the state of emergency and catastrophic health emergency" is "hereby extended to June 30, 2021." As such, the Respondent's license remains active.

³ The Nurse Licensure Compact (NLC) is an agreement between Boards of Nursing of party states that allows nurses to have one Multistate nursing license with the ability to practice nursing in both their home state and other party states. In accordance with the Nurse Licensure Compact, Md. Code Ann., Health Occ. § 8-7A-01.3(h) and § 8-7A-01.3(m) respectively, "Home state" means the party state that is the nurse's primary state of residence and, "Party state" means any state that has adopted this Compact.

⁴ The information cited in paragraph 1 in this document regarding the Respondent's current address, active/renewal status, and Compact Status of the Maryland nursing license was obtained on June 2, 2021, from the Maryland Board's website, the Maryland Board's MYLO database, and the NURSUS database.

⁵ The Consent Agreement further provided that after one year of suspension the Respondent may request that the remainder of the suspension be stayed and that she be placed on probation. The Respondent's participation and

Truitt, Katie: R201359/A00109737

Delaware Board on February 10, 2021.

4. The Respondent, as part of the Consent Agreement, admitted to the following:⁶
 - a. At all times relevant the Respondent was employed at a medical practice located in Delaware.
 - b. The Respondent's co-workers reported that occasionally she reported to work with an odor of an alcoholic beverage and she appeared impaired.
 - c. On June 24, 2018, the Respondent was given a blood test following an automobile accident and later charged with Driving Under the Influence of Liquor or Drugs in violation of City of Newark Code, Chapter 20, Section 57.
 - d. On October 11, 2018, the Respondent was convicted of Driving Under the Influence of Liquor or Drugs in case number 1806016782 before the City of Newark Alderman's Court.
 - e. On December 6, 2018, the Respondent was arrested and charged with Driving Under the Influence of Alcohol. The charge is pending adjudication before New Castle County Delaware Court of Common Pleas, in case number 1812003202.
 - f. The Respondent violated the provisions of 24 Del. C. § 1922(a)(3) in that she is unfit or incompetent by reason of negligence, habits, or other causes.
 - g. The Respondent is guilty of unprofessional conduct in violation of 24 Del. C. § 1922(a)(8) and Board Regulation 10.1.1.

compliance with sanctions and/or conditions of probation, including but not limited to testing, counseling, and/or educational course work imposed by the New Castle Court of Common Pleas in case number 1812003202 will be reviewed and considered for purposes of determining whether to stay the suspension.

⁶ The statement of facts listed under paragraph 4 of this document are included to serve only as a summary of the facts set forth by the Delaware Board in the Consent Agreement. For a complete description, see the Consent Agreement, In Re: Katie Truitt, License No. R201359, Before the Delaware Board of Nursing, dated February 10, 2021.

Truitt, Katie: R201359/A00109737

NOTICE OF POSSIBLE SANCTIONS

If the Board finds that there are grounds for action pursuant to Md. Code Ann., Health Occ. § 8-316(a)(3) and/or (28), and/or § 8-6A-10(a)(20) and/or (26), the Board may impose disciplinary sanctions against the Respondent's license and/or certificate, pursuant to COMAR 10.27.26, including reprimand, probation, suspension, revocation, and/or the imposition of a monetary penalty.

June 3, 2021
Date

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document



Board of Nursing

Larry Hogan, Governor • Boyd K. Rutherford, Lt. Governor • Dennis R. Schrader, Secretary

June 23, 2021

The Respondent's address appears on the original document.

**RE: ORDER FOR SUMMARY SUSPENSION OF REGISTERED NURSE LICENSE
PURSUANT TO SECTION 10-226(c)(2) OF ADMINISTRATIVE PROCEDURE ACT
Katie Truitt - License No.: R201359**

Dear Ms. Truitt:

Enclosed is an executed "Order for Summary Suspension of Registered Nurse License Pursuant to Section 10-226(c)(2) of the Administrative Procedure Act" issued by the Maryland Board of Nursing ("the Board") pursuant to the authority of the Maryland Administrative Procedure Act, Md. Code Ann., State Government ("State Gov't.") § 10-226(c)(2) (2014 Repl. Vol.). **The enclosed Order suspends, effective immediately, your license to practice as a registered nurse in the State of Maryland.** The Board executed the enclosed Order for Summary Suspension after holding a show cause hearing on June 23, 2021.

You have the opportunity to request an evidentiary hearing before the Board on the merits of the enclosed Order for Summary Suspension. The evidentiary hearing before the Board will be conducted in accordance with the Maryland Administrative Procedure Act, Md. Code Ann., State Gov't. §§ 10-101 *et seq.* Pursuant to § 10-208 of the State Government Article, you will have the right to be represented by an attorney, subpoena evidence and witnesses, call witnesses and submit documents or other evidence, cross-examine witnesses called against you, and present summation and argument.

TO REQUEST AN EVIDENTIARY HEARING:

If you wish to schedule an evidentiary hearing on the merits of the enclosed executed Order for Summary Suspension, please submit a written request for a hearing to the Board within 30 days of the date of the enclosed Order, to:



ORDER FOR SUMMARY SUSPENSION
Katie Truitt - License No.: R201359

Attn: Amber Havens Bernal
Enforcement Division – Discipline Dept.
Maryland Board of Nursing
4140 Patterson Avenue
Baltimore, Maryland 21215
Fax: (410) 358-1499; EMAIL: mbon.nursingdiscipline@maryland.gov

A Request for Hearing form is enclosed for your convenience.

If you submit a written request for an evidentiary hearing, the Board may schedule a case resolution conference to provide an opportunity to resolve this case without proceeding to a formal evidentiary hearing. Your attendance at the case resolution conference, if scheduled, is voluntary, and your decision not to attend the case resolution conference will not influence the Board in deciding what, if any, action to take in your case. If you choose not to attend the case resolution conference, the Board will schedule an evidentiary hearing on the merits of the summary suspension of your license/certificate.

The Board will notify you in writing, at your address last known to the Board, of the date, time, and location of the evidentiary hearing.

IF YOU DO NOT REQUEST A HEARING:

If you do not request an evidentiary hearing in writing within 30 days of the date of the enclosed Order, you will have waived your opportunity for an evidentiary hearing on the merits of the Order for Summary Suspension. Pursuant to its authority under the State Government Article §§ 10-210(4) and 10-221, the Board may, in its discretion, issue a public Final Decision and Order by default, in which (1) the investigative findings and reasons in support of summary suspension in the Order for Summary Suspension become findings of fact and (2) the summary suspension of your license/certificate is affirmed and continued until further order of the Board.

Because your license to practice as a registered nurse in the State of Maryland is at issue and could be affected, **you are strongly urged to retain and be represented by an attorney at all stages of this proceeding.** If you choose to retain counsel, please be advised that, in order to appear on your behalf, your attorney must be admitted to the Bar in Maryland or specifically admitted pursuant to Maryland Rule 19-217 which governs special admission of out-of-state attorneys *pro hac vice*.

If you or your attorney have any questions about this letter or the enclosed Order, or wish to review the Board file regarding this case, please contact the Administrative Prosecutor assigned to your case, PROSECUTOR, at 410-767-NUMBER, or Amber Havens Bernal, Administrative Officer, Discipline and Compliance Programs, at amber.havens@maryland.gov.

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document

Enclosures: EXECUTED Order for Summary Suspension of Registered Nurse License
Request for Hearing form

cc: Kelly Cooper, Assistant Attorney General, Administrative Prosecutor

IN THE MATTER OF

* BEFORE THE MARYLAND

KATIE TRUITT

* BOARD OF NURSING

License No.: R201359

* OAG Case No.: 21-BP-013

* * * * *

**ORDER FOR SUMMARY SUSPENSION OF REGISTERED NURSE LICENSE
PURSUANT TO SECTION 10-226(C)(2) OF THE ADMINISTRATIVE PROCEDURE
ACT**

The Maryland Board of Nursing (the "Board") hereby orders the **SUMMARY SUSPENSION** of the license of **Katie Truitt** (the "Respondent"), License Number **R201359** to practice as a Registered Nurse in the State of Maryland. The Board takes this action pursuant to the authority of Maryland Code Ann., State Gov't Article § 10-226(c)(2) (2014 Repl. Vol.), which provides:

- (2) A unit may order summarily the suspension of a license if the unit:
 - (i) finds that the public, health, safety, or welfare imperatively requires emergency action; and
 - (ii) promptly gives the licensee:
 - 1. Written notice of the suspension, the finding and the reasons that support the finding; and
 - 2. An opportunity to be heard.

On June 23, 2021, a pre-deprivation show cause hearing was held before the Board to give the Respondent an opportunity to present oral argument as to why the Board should not summarily suspend the Respondent's license. The Respondent was not present at the Show Cause Hearing. The Assistant Attorney General – Administrative Prosecutor, was present at the Show Cause hearing on behalf of the State.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE
STATE GOVERNMENT ARTICLE
Truitt, Katie: R201359**

**INVESTIGATIVE FINDINGS AND REASONS IN SUPPORT
OF SUMMARY SUSPENSION**

Based on investigatory information obtained by, received by and made known to and available to the Board, the Board has reason to believe that the following facts are true:¹

1. On June 29, 2012, the Respondent was issued a license to practice as a registered nurse (“RN”) in the State of Maryland, license number R201359. The Respondent’s RN license is currently active and is scheduled to expire on June 28, 2020.² The Compact³ status of the Respondent’s Maryland RN license is “Multistate.” According to the Maryland Board’s MyLicense Office (“MYLO”) database, the Respondent’s current address is in the State of Maryland.⁴
2. On September 27, 2010, the Respondent was certified to practice as a Certified Nursing Assistant (“CNA”)/Geriatric Nursing Assistant (“GNA”) in the State of Maryland, certificate

¹ The allegations set forth in this document are intended to provide the Respondent with reasonable notice of the Board’s action. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this action.

² The Respondent’s license was scheduled to expire on June 28, 2020. On March 5, 2020, the Governor of the State of Maryland issued an Executive Order declaring a state of emergency and existence of catastrophic health emergency. Effective March 12, 2020, the Governor issued an Executive Order which ordered that all professional licenses that would otherwise “expire during the state of emergency and catastrophic health emergency; and be renewable during the state of emergency and catastrophic health emergency” the “expiration date . . . is hereby extended to the 30th day after the date by which the state of emergency is terminated and the catastrophic health emergency is rescinded.” On March 9, 2021, the Governor amended and restated the Executive Order ordering that all professional licenses that would otherwise “expire prior to June 30, 2021 during the state of emergency and catastrophic health emergency; and be renewable during the state of emergency and catastrophic health emergency” is “hereby extended to June 30, 2021.” As such, the Respondent’s license remains active.

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⁴ The information cited in paragraph 1 in this document regarding the Respondent’s current address, active/renewal status, and Compact Status of the Maryland nursing license was obtained on June 2, 2021, from the Maryland Board’s website, the Maryland Board’s MYLO database, and the NURSIS database.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE
STATE GOVERNMENT ARTICLE
Truitt, Katie: R201359**

number A00109737. The Respondent's certificate is currently "non-renewed" and expired on June 28, 2012.

Discipline by the Delaware Board of Nursing

3. On or about January 29, 2021, the Respondent entered into a Consent Agreement ("Consent Agreement") with the Delaware Board of Nursing ("Delaware Board"), in which she agreed with the Delaware Board that her privilege to practice in Delaware should be suspended for two (2) years.⁵ The Delaware Board approved and entered the Consent Agreement as an Order of the Delaware Board on February 10, 2021.

4. The Respondent, as part of the Consent Agreement, admitted to the following:⁶

- a. At all times relevant the Respondent was employed at a medical practice located in Delaware.
- b. The Respondent's co-workers reported that occasionally she reported to work with an odor of an alcoholic beverage and she appeared impaired.
- c. On June 24, 2018, the Respondent was given a blood test following an automobile accident and later charged with Driving Under the Influence of Liquor or Drugs in violation of City of Newark Code, Chapter 20, Section 57.
- d. On October 11, 2018, the Respondent was convicted of Driving Under the Influence of Liquor or Drugs in case number 1806016782 before the City of

⁵ The Consent Agreement further provided that after one year of suspension the Respondent may request that the remainder of the suspension be stayed and that she be placed on probation. The Respondent's participation and compliance with sanctions and/or conditions of probation, including but not limited to testing, counseling, and/or educational course work imposed by the New Castle Court of Common Pleas in case number 1812003202 will be reviewed and considered for purposes of determining whether to stay the suspension.

⁶ The statement of facts listed under paragraph 4 of this document are included to serve only as a summary of the facts set forth by the Delaware Board in the Consent Agreement. For a complete description, see the Consent Agreement, In Re: Katie Truitt, License No. R201359, Before the Delaware Board of Nursing, dated February 10, 2021.

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE
STATE GOVERNMENT ARTICLE
Truitt, Katie: R201359**

Newark Alderman's Court.

- e. On December 6, 2018, the Respondent was arrested and charged with Driving Under the Influence of Alcohol. The charge is pending adjudication before New Castle County Delaware Court of Common Pleas, in case number 1812003202.
- f. The Respondent violated the provisions of 24 Del. C. § 1922(a)(3) in that she is unfit or incompetent by reason of negligence, habits, or other causes.
- g. The Respondent is guilty of unprofessional conduct in violation of 24 Del. C. § 1922(a)(8) and Board Regulation 10.1.1.

CONCLUSION OF LAW

Based on the foregoing investigative findings and reasons, the Board finds that the public health, safety or welfare imperatively requires emergency action in this case pursuant to Md. Code Ann., State Govt. § 10-226(c)(2) (2014 Repl. Vol.).

ORDER

It is hereby:

ORDERED that pursuant to the authority vested in the Board of Nursing by Md. Code Ann., State Gov't § 10-226(c)(2) (2014 Repl. Vol.) the license of **Katie Truitt** to practice as a registered nurse, (**License No. R201359**), in the State of Maryland is hereby **SUMMARILY SUSPENDED**; and be it further

ORDERED that if the Respondent's license is suspended following a Show Cause Hearing, the Respondent has the right to an evidentiary hearing before the Board on the merits of the summary suspension and an evidentiary hearing will be scheduled before the Board, if the Respondent submits a written request for an evidentiary hearing to the Board **NO LATER THAN THIRTY (30) DAYS from the date of this Order for Summary Suspension**; and be it further

**ORDER FOR SUMMARY SUSPENSION PURSUANT TO § 10-226(c)(2) OF THE
STATE GOVERNMENT ARTICLE
Truitt, Katie: R201359**

ORDERED that if the Respondent does not submit a timely written request to the Board for an evidentiary hearing within 30 days of the date of this Order, the Respondent shall have waived all rights now and in the future to any hearing on the merits of the summary suspension of the Respondent's license and the factual allegations contained in the Order for Summary Suspension; and it is further

ORDERED that this Order for Summary Suspension shall remain in effect and the summary suspension of the Respondent's license shall continue until further Order of the Board; and it is further

ORDERED that this, "Order for Summary Suspension of Registered Nurse License" is a **PUBLIC RECORD** pursuant to Md. Code Ann., Gen. Prov. § 4-101 *et seq.* & § 4-333 (2014).

June 23, 2021
Date

Karen E. B. Evans MSN, RN-BC
The Executive Director's Signature
Appears on the Original Document